

**ENTERED**

November 13, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

BM TECHNOLOGIES, INC.,

Plaintiff,

VS.

MEHRAN KHAVARIAN,

Defendant.

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CIVIL ACTION NO. 4:23-CV-01377

**ORDER**

Before the Court is United States Magistrate Judge Yvonne Y. Ho's Memorandum and Recommendation filed on October 20, 2023. Doc. #23. The deadline for filing objections has passed, and no objections have been filed. Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Memorandum and Recommendation for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, the Court adopts the Memorandum and Recommendation in its entirety. Accordingly, the Court hereby DENIES Plaintiff's Motion to Dismiss Counterclaim (Doc. #12) AS MOOT.

It is so ORDERED.

NOV 13 2023

Date



The Honorable Alfred H. Bennett  
United States District Judge